

COMMISSIONERS APPROVAL

ROKOSCH 

GRANDSTAFF 

THOMPSON 

CHILCOTT 

DRISCOLL 

PLETTENBERG (Clerk & Recorder)

Date.....October 31, 2007

Members Present.....Commissioner Jim Rokosch,
Commissioner Carlotta Grandstaff, Commissioner Alan Thompson and Commissioner
Kathleen Driscoll

Minutes: Beth Perkins

Commissioner Chilcott attended a conference for the Association of Government; Risk
Management Leadership.

The Board met with Dennis Stranger, City of Hamilton in regard to a letter requesting
assistance from the Department of Transportation for transportation issues within the
city/county. Also present was Planning Director Karen Hughes.

**Commissioner Thompson made a motion for the Chairman to sign the letter to the
Department of Transportation for assistance to the issues of transportation within
Ravalli County and the City of Hamilton. Commissioner Grandstaff seconded the
motion and all voted 'aye'.**

The Board met with Dennis Stranger for a status update on the modeling project he is
preparing for the County as a private consultant.

Dennis stated his model is based on the Fiscal Year 2007 budget. He submitted a budget
summary then reviewed that with the Commissioners. Dennis also presented a sample
subdivision fiscal impact analysis model. He stated this will show expenditures and
revenues. Board discussion followed regarding the model.

In other business, the Board met with State Senator Rick Laible, Tim Davis of Smart
Growth and Glen Opple in regard to Senate Bill 201. Present were Planning Director
Karen Hughes, City of Hamilton Planner Dennis Stranger, County Attorney George
Corn, Civil Counsel Alex Beal and several citizens.

Commissioner Rokosch welcomed everyone and requested Senator Lauble give an overview.

Senator Laible stated the timing to implement Senate Bill 201 is perfect. Their goal today is to pique their interest and support for this bill. He believes this bill would be a valuable planning tool.

Tim Davis, Director of Smart Growth Coalition gave a presentation to the Board. He stated the Smart Growth Coalition has worked on the growth issue. Tim stated Senate Bill 201 will enable a fair and predictable planning process by implementing the following three things. First it creates a detailed planning and zoning process; asking a city and county to project growth. Secondly it creates a funding source to help pay for planning. Thirdly it creates a streamline subdivision review process.

Commissioner Grandstaff asked how this would work with the current planning process. Karen replied she believes it would work fine.

Tim stated the reason for the planning process is to get ahead of the growth. Commissioner Grandstaff asked what the review looked like. Tim replied the streamline review has 3 components. He then reviewed the components noting this is where the City and the County will work together. Commissioner Rokosch asked if an inter-jurisdictional agreement is included. Tim replied no, but recommends having one.

Commissioner Rokosch asked how the bill would work for unincorporated towns. Tim replied the planning process works equally well with Florence and Hamilton. If the County adopted this process, there is a streamline process under current law to skip the primary review process for these areas. Tim stated the County could adopt the process by resolution and still have time to start collecting the planning fees. The process is a much more detailed planning criterion. It is not easy, but it is a way to ensure the development is done in the right fashion. He stated he is doing this presentation with both cities and counties. In one year, he will return and see who has implemented it and how it has worked.

Commissioner Rokosch asked Karen how she could work with this within the current planning process. Karen replied this allows modification of the Growth Policy. Her initial understanding was to accept it as a Phase 2 process. Commissioner Rokosch asked Karen how a fee structure could be implemented. Karen replied she has not been able to look at that portion yet.

Commissioner Thompson felt if the time was put in the process of planning for the growth policy and impact fees, then it will free up time for the planning department. Tim agreed stating the process will give more time for planners to do planning. Commissioner Thompson discussed zoning. Tim stated the planning process is to protect the quality of life while going through the process of zoning.

Commissioner Rokosch stated with the Phase 1 effort in the past few months, they did not plan to have development standards in this phase. This phase is for density, height, etc. He discussed the timeline.

Commissioner Rokosch stated the process is an incentive itself. Tim stated there needs to be a baseline standard in place. Tim discussed incentives such as density, open space perpetuity, impact/growth, reducing road widths with multiple accesses, and the ability to decrease impact fees for low incoming housing.

Commissioner Thompson asked where the fees would go. Tim replied it depends where they apply, such as if it is the city, the city would collect it and vice versa.

Senator Laible stated this Senate Bill might be added to the zoning process the county is going through at this time. He stated by Resolution the Commissioners could implement it at some time in the future. The important issue is for the Commissioners to agree upon identifying the approach. Two years from now, fees will have already been collected from the Planning Department. He felt streamlining not only helps the developer but also the planning staff. He urges the county to start the process in order to collect the fees. He stated Mr. Davis will be willing to work with the consultants on this issue. He also noted this was a consensus bill and that good land planning is a necessity for Montana.

Commissioner Rokosch thanked Senator Laible and Tim Davis for coming in and appreciates their work in getting the bill put together. Commissioner Grandstaff stated she does not think it is too soon but rather is the perfect time. She stated there has already been discussion with the Mayor of Hamilton in working together on these projects. Discussion followed regarding incorporated jurisdictions (cities/towns) and how the impact fees could be used.

Commissioner Driscoll asked if the impact fee bill could be tweaked. She discussed using the impact fees to help create low income housing. Senator Laible replied Senate Bill 185 was a huge brain storm in that regard.

Tim stated the trick with the impact fee bill was that it was balanced. He explained in the past, most development happened in the city and now it is outside the cities. What developers want is the infrastructure to be in place.

Commissioner Rokosch stated the Board will discuss implementing the bill within the planning process in order to move forward with the county wide zoning efforts.

In other business, the Board met for an Environmental Health update. Environmental Health Director Lea Jordan was present.

Lea started the meeting with some litigation matters regarding condos and DEQ review. She discussed minimum standards for condos and a requirement of planning exemption. The review will also include a water availability analysis. Commissioner Rokosch suggested contacting Steve Kilbreath for information.

Lea stated they had submitted a grant request to DEQ at the end of December for money to help implement an education campaign for the Hamilton drinking water supply. They have requested approximately \$91,000 to target high density septic systems, water testing, and coupons to encourage septic pumping. They also included \$30,000 for a hazardous material collection (part of the \$91,000). Lea requested the Board's permission to move forward with the grant request. **Commissioner Grandstaff made a motion to allow Environmental Health to proceed with the 319 Grant for a water quality study. Commissioner Driscoll seconded the motion, all voted 'aye'.**

Lea presented the Board with a booklet of information in regard to assessing ground-water vulnerability for contamination. Lea stated there is a grant through DNRC due December 31st that would cover the assessments. Lea stated they would be using the DRASTIC method mentioned in the DNRC information. The information can be used to say yes or no to an increased level of septic. It will give them information for the basis of a request for additional research of the aquifer. Commissioner Rokosch stated there is an assessment catalog project on going by the Montana Water Trust where they gather water information for existing service and ground water quality. Board discussion followed regarding utilizing existing information of the water quality. Lea stated the grant is roughly \$50,000.

Commissioner Grandstaff made a motion to allow Environmental Health the ability to move forward with the DNRC grant for assessing ground water vulnerability for contamination. Commissioner Driscoll seconded the motion, all voted 'aye'.

Lea stated any policies coming from this could be used as a tool in the future to adapt zoning. Commissioner Rokosch stated it would also give the county some scientific basis for developing the information.

Lea presented the Board with a pamphlet for water quality planning. She stated the pamphlet explains TMDLs which are Total Maximum Daily Loads of pollutants that water sources can receive and still be able to support all designated uses.

Lea discussed the Interim Water Quality Committee as they address water rights and the subdivision process. She stated they will make policy changes to go along with the subdivision review process. Lea encouraged the Board to attend those meetings. Commissioner Rokosch agreed with Lea. He stated if you truly want to protect private property rights, the local officials have a responsibility to advocate for it.

In regard to the Chevy Caprice their office utilizes this vehicle has no value. She requested they salvage it. **Commissioner Rokosch made a motion to allow Environmental Health to junk the Caprice vehicle. Commissioner Grandstaff seconded the motion, all voted 'aye'. (See Resolution No. 2194).**

Lea requested direction from the Board for large subdivision reviews in regard to how they should be handled. Her office reviews them for the DEQ minimum criteria. Lea

stated the subdivision public hearing is not where they should be making recommendations. Commissioner Rokosch stated the likely place is the pre-application meeting with the developer. He stated Environmental Health should be contacted at the same time as any other agencies. He stated of the six criteria, one is the effects on natural resources, which directly encompasses Environmental Health. Discussion followed regarding restrictions and impacts within development.

Lea stated she would like to discuss their involvement with the subdivision review process. Planning Director Karen Hughes joined the meeting. Karen stated the 622 review had all subdivision applications going through Environmental Health for the DEQ review and comments. Commissioner Rokosch stated we have a responsibility to judge impacts on water quality in order to make preliminary plat approval based on approval from the DEQ. Commissioner Rokosch suggested Karen make available information to Environmental Health prior to the hearing in the cases of sensitive areas. Lea, Karen and Commissioner Rokosch discussed Environmental Health's participation in the subdivision process.

Lea also discussed better mechanisms of enforcement such as the local burning issues. Discussion followed regarding taking the matters to judicial court. Karen stated the best solution is possibility an enforcement officer. Lea expressed they need a procedure of handling these situations. Commissioner Grandstaff suggested speaking with Civil Counsel. It was agreed that Lea and Karen will meet with Civil Counsel in order to draft a mechanism of enforcement and bring it back to the Board.